

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION**

In the matter of:)	Order No. R8-2005-0042
)	for
Hamid Farsai)	Mandatory Minimum Penalties
Huntington Beach ARCO)	
23276 Pointe Drive, Suite 100)	
Laguna Hills, CA 92653)	

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), held a hearing on February 3, 2005 to receive testimony and take evidence on the allegations contained in Complaint No. R8-2004-0077, dated October 4, 2004, and to consider imposition of mandatory penalties pursuant to Water Code Section 13385. The Board finds as follows:

1. On January 23, 2002, the Board adopted Waste Discharge Requirements, Order No. R8-2002-0007 (NPDES No. CAG918001), General Groundwater Cleanup Permit (Permit). The Permit regulates discharges of extracted and treated groundwater resulting from the cleanup of groundwater polluted by petroleum hydrocarbons and/or solvents within the Santa Ana Region. The Permit contains effluent limits for a number of constituents, including tertiary butyl alcohol (TBA). On July 16, 2002, the Executive Officer authorized Hamid Farsai to discharge treated groundwater from Huntington Beach ARCO (HB ARCO), located at 6002 Bolsa Avenue in the City of Huntington Beach, under the Permit. The discharge from HB ARCO's system is directed to a nearby storm drain, flowing into the Westminster Channel, a water of the United States. Hamid Farsai was required to monitor the discharge at HB ARCO in accordance with Monitoring and Reporting Program No. 2002-0007-016.
2. Hamid Farsai submitted self-monitoring reports, which indicate that four daily and/or monthly effluent limit violations occurred between March and September 2003. These violations were considered serious and subject to a mandatory minimum penalty.
3. Water Code Section 13385(h) requires the Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each serious violation.
4. In accordance with Water Code Section 13385(h), the total mandatory minimum penalties for the effluent limit violations cited in Section 2, above, are \$12,000.
5. On October 4, 2004, the Executive Officer issued Complaint No. R8-2004-0077 to Hamid Farsai proposing that the Board impose mandatory minimum penalties of \$12,000 for the violations cited above.

6. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

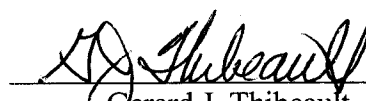
IT IS HEREBY ORDERED that, pursuant to California Water Code Section 13385, mandatory penalties be imposed on Hamid Farsai in the amount of \$12,000, as proposed in Complaint No. R8-2004-0077 for the violations cited above, payable as set forth below.

1. Hamid Farsai shall pay the entire \$12,000 to the State Water Resources Control Board.

The Executive Officer is authorized to refer this matter to the Attorney General for collection.

Pursuant to Water Code Section 13320, you may petition the State Water Resources Control Board for review of this Order. If you choose to do so, you must submit the petition to the State Board within 30 days of the Regional Board's action on this Order.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on February 3, 2005.


Gerard J. Thibeault
Executive Officer